

OFFICE OF SOIL AND WATER CONSERVATION
STATE SOIL AND WATER CONSERVATION COMMISSION

MAY 26, 2009
1:15 PM

VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BOULEVARD
BATON ROUGE, LA 70806

PROCEEDINGS/MINUTES

CALL TO ORDER

The regular monthly Commission meeting was called to order by Chairman Guillory at 1:15 P.M.

ROLL CALL

The roll was called by Laura Edwards.

Members present: Chairman George Guillory, Bruce Fraizer, Ed Yerger, Garland Colvin, John Compton, Randell Fletcher and Paul Coreil

Members absent: None

A quorum was present.

Others present: Kevin Norton, NRCS; Dwight Landreneau, LSU; Brad Spicer, LDAF; Joey Breaux, LDAF; and Laura Edwards, LDAF

APPROVAL OF THE MINUTES

Chairman Guillory called for a motion to approve the minutes of the April 28, 2009, State Commission meeting.

Motion: Mr. Fletcher made a motion to approve the minutes from the April 28, 2009 Commission meeting. The motion was seconded by Mr. Yerger and passed unanimously.

UNFINISHED BUSINESS

Chairman Guillory said they would next take up Unfinished Business and requested Mr. Spicer to report on the items listed on the agenda.

SWCD Farm Bill Implementation Report

Chairman Guillory asked Mr. Spicer to report on the Farm Bill Implementation. Mr. Spicer said they have closed out the 2008-2009 agreement and have the new allocation totaling \$247,100 loaded into the reporting system. He said that he received a letter from Mr. Hollier, Chairman of the St. Landry SWCD, questioning the level of funding his district was allocated in the new cooperative agreement.

Chairman Guillory asked Mr. Spicer to read the St. Landry Letter. He said that based on his earlier discussion with both, the State Conservationist, Kevin Norton, and Brad Spicer the allocation correctly reflects the percent of farm bill workload for the St. Landry district and each of the other 43 districts. Chairman Guillory said that the allocations are based on the total number of contracts implemented during the immediate past three years. He said it is a simple formula that gives each district the same percent of the farm bill funds as their percentage of the accumulative total farm bill contracts implemented during the past three years. Chairman Guillory said the maximum change in any district workload from last year to this year is three percent.

Mr. Norton said the funds are getting less each year but the same allocation formula has been used since the first Farm Bill agreement was implemented. He said that one important factor

was that some districts have more active EQIP applications now than they had in the past and some districts have less. He said he asked Mr. Ron Marcantel to verify the application numbers and they are correct.

Mr. Spicer said the significant reduction in St. Landry district's allocation is not because of a reduction in the district's farm bill workload within the district, but it is the result of eliminating special funding for the district's program assistant. He said the district was receiving additional farm bill funds because their program assistant was assisting adjoining districts with their farm bill work. Mr. Spicer said it was determined that this assistance is no longer being provided to the neighboring districts and therefore, the funding was cut.

Chairman Guillory said he wished the St. Landry SWCD had contacted the OSWC to get information on the funding process before writing the letter. He said he recommends Mr. Spicer send a letter to the St. Landry district explaining the reason for the reduction in the farm bill funds. Mr. Spicer said that Commissioner Strain asked that the State Commission review the St. Landry funding situation. Chairman Guillory said that all the individuals that were sent copies of the St. Landry letter should also be provided copies of the State Commission's letter, including Commissioner Strain. He said that the percentage formula used to compute the allocation should be included in the response to the St. Landry SWCD.

Annual Election of District Supervisors

Chairman Guillory said the next agenda item is the 2009 Supervisors Election and he asked Ms. Edwards to make the election report.

Ms. Edwards said that thirty-nine petitions for the supervisors' annual election scheduled for June 13, 2009 were received by the April 30, 2009 deadline and one petition, from the Lafayette SWCD, was received on May 18, 2009. She said that a letter from Mr. Sidney Bowles, Lafayette SWCD candidate, is attached explaining that the late entry was due to several legitimate reasons. Mr. Spicer said no one else from Lafayette SWCD returned a petition and the Lafayette Board stated they wished the Commission to extend the deadline for receiving election petitions to May 18, 2009. Mr. Spicer asked the Commission if they wished to make a motion to extend the deadline to May 18, 2009.

Motion: Mr. Colvin made a motion to extend the deadline for receiving election petitions to May 18, 2009. The motion was seconded by Mr. Fraizer and passed unanimously.

Ms. Edwards said the Northeast district did not return an election petition because their board member that is up for reelection chose not to file a petition and no other petitions were submitted. She said the Plaquemines district also did not return a petition because the supervisory position up for re-election is vacant and no other petition was submitted.

Ms. Edwards said that, including the Lafayette SWCD, forty districts returned only one petition. She said that thirty-nine petitions for the supervisors' annual election scheduled for June 13, 2009 were received by the April 30, 2009 deadline and one district's petition, Lafayette SWCD, was received by the extended deadline of May 18, 2009. Ms. Edwards advised the Commission that all forty petitions were checked to determine that each contained the required minimum of twenty-five signatures, and the signatures were certified by the Registrar of Voters as being qualified voters within each nominee's district.

Chairman Guillory said that the State Commission has authority to declare nominees with no opposition and who met all qualifying requirements duly elected supervisors. Mr. Spicer said that would be forty districts.

Ms. Edwards said that listed below are the petitions received from the forty districts that had no opposition for the 2009 Supervisors Elections. She said all petitions received are in compliance

with State Commission election requirements and the term of office for the candidates listed below starts on July 1, 2009 and expires on June 30, 2012.

DISTRICT

Acadia
Allen
Avoyelles
Bodcau
Boeuf River
Bogue Chitto-Pearl River
Caddo
Calcasieu
Capital
Catahoula
Crescent
D'Arbonne
DeSoto
Dorcheat
Dugdemona
East Carroll
Evangeline
Feliciana
Grant
Gulf Coast
Iberia
Jefferson Davis
Lafayette
LaSalle
Lower Delta
Madison
Morehouse
Natchitoches
New River
Northeast
Plaquemines
Rapides
Red River
Sabine
Saline
St. Landry
St. Martin
St. Mary
Tangipahoa-St. Helena
Tensas-Concordia
Upper Delta
West Carroll

* Denotes new nominees (3)

SUPERVISOR

Gerard Frey
Gregory Monceaux
Larry Sayes
Shannon Mendenhall
Everette Calloway
Delos Thompson
William Sample
David Daigle
Steven Horvath
Terry Smith
Allan Ensminger
David Manuel
Joel Register
Joseph Beatty
Bruce Fraizer
Ronald King
James B. Shipp, Jr.
Ikie Roberts
Robert Willett
Edwin Quinn
* **Robert Freeman**
* **David Dean Lavergne**
Sidney Bowles
Steve Andrews
Frankie Sotile
Thomas Bishop
Jason Waller
Charles Anderson
Jackie Sandefer
Vacant
Vacant
Bruce Brown
Ronald Webb
Marjorie Brown
* **George McConathy**
Lee Hampton
John Girard
Junius Hebert
Thomas Wicker
John Rife
Andrew Price Gay
John Janes

Chairman Guillory asked for a motion to duly elect the qualified supervisors.

Motion: Mr. Fraizer made a motion to declare the above list of unopposed candidates duly elected district supervisors. The motion was seconded by Mr. Yerger and passed unanimously.

Resolved, the above list of nominees, having met all qualifying requirements and are declared duly elected supervisors for the period beginning July 1, 2009 and expiring June 30, 2012.

Ms. Edwards said there will be an election in two districts, Lafourche-Terrebonne and Vermilion districts. She said the Lafourche-Terrebonne district has two candidates and the Vermilion district has three candidates. Mr. Spicer said that he is assisting the districts in preparing for the June election.

DISTRICT

Lafourche-Terrebonne
Lafourche-Terrebonne

Vermilion
Vermilion
Vermilion

* Denotes new nominees (4)

CANDIDATES

Jerome H. Cantrelle
* **Cory Thibodeaux**

***William Husband**
***Emile Thibodeaux**
***Dale Vidrine**

Mr. Spicer said the Vermilion SWCD has requested the Commission to approve a fourth polling place for the upcoming supervisor election. He said the State Commission rules state that three polling places are required and the Commission would need to approve the request by the Vermilion SWCD to provide four polling places. Chairman Guillory asked who would pay for the extra polling commissioners and Mr. Spicer replied that the district would be responsible for paying for them. Chairman Guillory asked for a motion to amend the election rules for the 2009 supervisor election to allow the Vermilion SWCD to have four polling places for the June 13, 2009 supervisor election.

Motion: Mr. Colvin made a motion to amend the election rules to allow the Vermilion SWCD to select and use four polling places for the June 13, 2009 supervisor election. The motion was seconded by Mr. Fraizer and passed unanimously.

NACD Regional Meeting

Chairman Guillory said that Mr. Compton is running late for the meeting and asked Mr. Spicer to brief the Commission on the status of the Regional Meeting. Mr. Spicer said that LACD has signed a contract with the Crown Plaza Hotel of Baton Rouge and that the meeting is scheduled for August 12-14, 2009. He said that the meeting location and meeting dates are posted on the NACD website. He said that LACD President Dr. Girouard is trying to schedule a program planning meeting for next week. Mr. Landreneau said the 4-H group is very much interested in the NACD Regional meeting and that they have received state and national recognition. Mr. Spicer said that Dr. Girouard is aware of the suggestion by both Dr. Coreil and Mr. Landreneau to have the Louisiana 4-H youth group participate in the program. He said other topics that have been discussed include a session on carbon sequestration and the economics of applying conservation measures to the land. He said there again, they will likely be asking the Ag Center and others for assistance in identifying issues and possible speakers. He said NACD regional leaders, Dr. Girouard, and Mr. John Compton will be responsible for all aspects of the meeting.

Legislative Report: HB 743, HB 1, HB 2, and HB 158

Chairman Guillory said the next item is a discussion on House Bills 1, 2, 158 and 743. He asked Mr. Spicer to brief the Commission on the status of the bills. Mr. Spicer said that HB 1, the appropriation bill, continues to be discussed. He said the LDAF under the leadership of Commissioner Strain continues to work with the legislature to get funding restored to the department. He said the request of federal stimulus funds for the Office of Forestry was denied because the state's unemployment rate was not high enough for the state to qualify for the stimulus funds. Mr. Spicer said that without increased funding the department will be forced to further reduce its work force which will directly affect the services provided to the public such as forest fire protection. Dr. Coreil said that the AgCenter is in the same situation and that they will like LDAF have to cut staff if their funding level is not increased by the legislature.

Mr. Spicer said HB 2, the Capitol Outlay Bill, is still being considered and that the districts are continuing to work with their local elected officials to get the \$3.7 million put in the bill for watershed dam restoration. He said he has worked with several districts helping them put together informational packets for their legislators. Mr. Spicer said that he has also met with several Senators that are working to get the dam restoration funds put in the Capitol Outlay Bill.

Mr. Spicer said that HB 158, which does away with the extensive information that must be provided by the applicant before the Commissioner of Conservation can approve the drilling of drought relief wells. He said this bill is moving through the legislative process without any difficulties. Mr. Spicer said that for this session HB 743, which provides for the establishment of a task force to study surface water management needs for the state, will not likely be heard. Mr. Spicer said he hopes the surface water bill will be reintroduced in the 2010 regular session and with a much broader support from other state agencies and organizations. He said that the LDAF budget continues to be the main focus of the department legislative efforts.

Ethics Board – Personal Financial Disclosure

Chairman Guillory said that he had not been informed of any issues concerning district supervisors completing their ethics board financial disclosure forms. He said most supervisors or their spouses receive no financial benefits from the state or local government and therefore they had no difficulty in completing the short version of disclosure forms. Mr. Spicer said that he received very few calls requesting information on filing the disclosure forms.

NEW BUSINESS

NRCS State Conservationist Report

Chairman Guillory asked Mr. Norton to give the NRCS State Conservationist Report. Mr. Norton handed out copies of his printed report and mentioned some key points regarding the 2008 Farm Bill. He said that the Grasslands Reserve Program (GRP) will have an open enrollment for the first time since 2005. The GRP is a voluntary program which supports grazing operations, biodiversity enhancement, and protection of grasslands under threat of land use conversion. He said that the Organic Initiative will be offered through EQIP, through which eligible applicants may receive up to \$20,000 per year or \$80,000 in a six year period. He said that Louisiana will have up to \$900,000 available through this initiative, and that the NRCS has been working with the LDAF/ Office of Agriculture Environmental Sciences to prepare eligible organic growers and to streamline program delivery. He said that Louisiana currently has twelve certified organic producers.

Mr. Norton said that the Air Quality Initiative (AQI) will also be offered under EQIP for parishes having ambient air quality standards at “non-attainment”. He said these parishes include Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge, and that ranking for the AQI will be completed on June 5th. Mr. Norton said that six proposals have been received for the Cooperative Conservation Partnership Initiative (CCPI) and the USDA Secretary will be announcing his national selection in a matter of days. He said the CCPI is designed to combine certain conservation programs with the resources of eligible conservation entities to create an optimum cost-benefit outcome toward resolving critical conservation priorities in the state.

Mr. Norton said that in the past, a number of small scale farmers and landowners have not participated in EQIP because they lacked the resources and size necessary to compete with larger operations, and were therefore unable to qualify through the competitive ranking process. He said that through the 2008 Farm Bill, 5% of EQIP funds and 5% of Conservation Stewardship Program funds will be set aside specifically for some of these producers who have applied over the years, but have never before been selected for an EQIP contract.

Mr. Norton said that on Friday, May 8th, Mr. Allan Ensminger received the 2009 Coastal Stewardship Award, presented by the Coalition to Restore Coastal Louisiana. This award recognizes individuals who have made significant contributions to the conservation and

restoration of Louisiana's coastal wetlands. He said that Mr. Ensminger was nominated by the NRCS because of his unparalleled commitment to conservation, illustrated through his more than 50 years as mentor, teacher, steward and champion of the state's unique and endangered coastal resources. Mr. Spicer said that the State Commission also supported Mr. Ensminger's nomination for the Coastal Stewardship Award. Chairman Guillory said the Commission sends its congratulations to Mr. Ensminger for being recognized for his work in protecting and restoring Louisiana's coastal wetlands.

Mr. Norton also reported on various partnership and field office accomplishments such as the Plant Materials centers involvement in the Leadership of Lafourche program, the Benton Field Office's pasture walk in south Bossier Parish, and others.

Mr. Norton said this concluded his report.

Correspondence

Chairman Guillory said the first item under Correspondence is a letter from the Caddo SWCD announcing a public meeting on June 4, 2009 to discuss the Red Bayou Watershed Project. He said the project will cost about \$3.2 million and will serve as an irrigation reservoir for the landowners along Red Bayou. Mr. Spicer said they are working with the Legislative Budget Office on acquiring one million dollars in state matching funds. He said Mr. Joey Breaux has been working on a regular basis with the budget office to provide information to support the funding request.

Chairman Guillory said the next item is an email from NACD announcing the resignation of Ms. Krysta Harden, NACD, CEO. He said that she has accepted the position of USDA Assistant Secretary for Congressional Relations and was recently confirmed by the U.S. Senate. Mr. Compton said that NACD has initiated a search for a new CEO and anyone that wants to apply only has two more days to turn in their application. He said Mr. Brad Ross is currently acting CEO and as such he is not permitted to apply for the permanent position nor are any other current NACD employees.

Mr. Spicer said the next item is a request from the National Association of State Departments of Agriculture (NASDA) outlining their support for Agricultural Job Opportunity Benefits and Security Act (AgJOBS) of 2009. He said NASDA supports the AgJOBS because it puts into law immigration reform requirements that provides for workable and fair legal channels for farm workers to enter the country, work and return home when the work season is over. He said many Louisiana producers would likely support the legislation.

Mr. Spicer said the next item is an email from NACD requesting state conservation associations contact their members of congress and request they reject the President's proposed funding cuts the FY 2010 Conservation Programs. He said the administration is proposing to cut WRP by \$184 million or about 40% and cut EQIP by \$250,000 or 17%. He said such cuts in these programs would have a significant impact on Louisiana's conservation program with WRP getting hardest hit in the range of twenty-plus million dollars. Mr. Spicer said that also, they are proposing over a 50% cut in the WHIP, as well as cuts in other programs including over a 50% cut in Healthy Forests Reserve Program. Mr. Spicer said he will email the Louisiana Congressional delegation to voice State Commission and LACD concerns and to ask the delegation to oppose the President's cuts to the conservation programs.

Mr. Spicer said there is an email in the Commissioner's folder from NASDA voicing their concerns about the potential adverse impacts to agriculture and forestry should S.787, the Clean Water Restoration Act, be enacted into law. He said the enactment of S 787 would likely result in unintentional consequences by expanding federal jurisdiction over additional waters of the United States that in my opinion could and likely would be interpreted to include hundreds of

thousands of acres of farm and forest land in Louisiana, thus requiring some form of a 404 use permit be filed by farmers, ranchers and forest landowners.

Mr. Spicer said another item under correspondence is a letter from State Conservationist, Mr. Kevin Norton, to the Louisiana Department of Environmental Quality (LDEQ) voicing his agency's concern about LDEQ not using the Official Watershed and Ecoregion Boundaries maps. Mr. Spicer said that Mr. Norton points out in his letter that all federal and state agencies, except possibly LDEQ, are using the Ecoregion maps. He said as a result of LDEQ not using the same watershed boundaries that the other agencies are using, data sets based on watershed boundaries generated by LDEQ are not compatible with other agencies and the data cannot be easily transferred to other agencies base maps or other agency mapped data to DEQ maps.

Mr. Spicer said he provided each Commission member a copy of an article from the Range Magazine, Summer 2009 by Dr. Sierra D. Stoneberg Holt. He said the article addresses global warming/carbon sequestration and the myths and truths of the current arguments being put forth by various political and scientific groups and individuals. Mr. Spicer said the article gives an excellent description of the carbon cycle and carbon trapped in fossil fuels and rock. He said it also points out the misconception of current carbon sequestration efforts that may be of interest to Commission members.

Mr. Spicer said the last item under Correspondence is the draft program for the LACDE summer meeting. He said the NRCS and LDAF will participate in the meeting. He said Mr. Breaux will give a presentation on Project WET and Mr. Bennie Tate will discuss office management practices, bookkeeping procedures and the new audit process and procedures.

Mr. Spicer said that concluded correspondence.

Resignation/Appointments and Reappointments

Chairman Guillory asked Ms. Edwards report on the supervisor resignations and appointments.

Ms. Edwards reported on the resignation of the following supervisor: Mr. Woodrow Young, elected position, Rapides SWCD.

Motion: Mr. Colvin made a motion to accept the resignation of supervisor Mr. Woodrow Young, elected position, Rapides SWCD. The motion was seconded by Mr. Compton and passed unanimously.

Ms. Edwards said the respective conservation districts are requesting the State Commission to appoint the following supervisors to a new term in office:

Allen SWCD, Mr. Thomas Mayes reappointed to fill his expired appointed position. Term will begin July 27, 2009 and expire on July 27, 2012.

Crescent SWCD, Ms. Rebecca "Becky" Livaudais, appointed to fill unexpired elected position of Mr. Gatien Livaudais. Term will begin May 26, 2009 and will expire on June 30, 2010.

Lafayette SWCD, Mr. Eugene Landry reappointed to fill his expired appointed position. Term will begin June 11, 2009 and expire on June 11, 2012.

Motion: Mr. Yerger made a motion to approve the appointments of supervisors Mr. Thomas Mayes, appointed position, Allen SWCD; Ms. Rebecca "Becky" Livaudais, elected position, Crescent SWCD; and Mr. Eugene Landry, appointed position, Lafayette SWCD. The motion was seconded by Mr. Colvin and passed unanimously.

District Audits

Chairman Guillory said the next item on the agenda is FY 2008-2009 district audits. He said at the March 24, 2009 meeting the Commission agreed that the individual districts should select their auditors and the districts will be responsible for paying their audit costs. He said that most of the districts will probably use the same audit firm they used last year. Chairman Guillory asked Mr. Spicer to contact Mr. Krielow to discuss the upcoming district audits and to ask him to attend the LACDE meeting to discuss with the attendees steps they could take to improve the financial record keeping for the districts.

Mr. Spicer said he would inform the district of their responsibility to hire their auditor for FY 2008-2009 and that he would contact Mr. Krielow about attending the LACDE meeting in Woodworth on June 10-11, 2009.

Mr. Spicer said he received a letter from the Natchitoches SWCD stating their concern about receiving a letter stating that their audit was not completed by the official deadline. He said several districts received the same letter. Mr. Spicer said that Mr. Tate's workload did not allow for him to finish district audits by the December 2008 deadline, but that they are working on a schedule that eliminates the problem for the next audit. Mr. Spicer said that he and Mr. Tate have revised the District Operating Budget format to conform to the format required by the auditors for reporting revenue and expenditures. He said the same format would also be used by the districts to prepare their budget revenue estimates and expenditure estimates. Mr. Spicer said this is a new requirement where each district has to prepare an estimated Operating Budget for both incoming revenues and expenditures for the new fiscal year prior to June 30th of each year. He said Mr. Tate will discuss these new requirements at the LACDE meeting in June.

OTHER BUSINESS

Chairman Guillory asked if there was any other business to come before the Commission.

Mr. Breaux said that he had recently been contacted by Mr. Zach Wiley, the economist with Environmental Defense who had worked with the OSWC in the past to encourage interest in carbon sequestration. He said that Environmental Defense is now interested in scoping out the potential for the reduction of carbon dioxide, nitrous oxide, methane and other supposed greenhouse gas emissions from agricultural operations. Mr. Breaux said that a scoping project such as this will basically need to: 1) conclude the level of record keeping required of producers, acceptable contract terms, the likelihood of measurable reductions, and willingness of landowners to participate. 2) use this information, if favorable, as a basis for development of a sell-off of these emission reductions. 3) OSWC would then work with Environmental Defense to identify and secure buyers for these reduction credits. Mr. Breaux said that he discussed opportunities for these type projects in rice, dairy/poultry and some row crop operations, and that Environmental Defense was interested and was ready to initiate an agreement. Mr. Breaux said that he and possibly other OSWC staff may soon be meeting with selected SWCD's to determine the feasibility, and the SWCD role in these potential projects.

Chairman Guillory asked if there was any other business and Mr. Spicer said he did not have any other business to bring before the Commission.

NEXT MEETING

Chairman Guillory said the next Commission Meeting is scheduled for 1:15 PM on Tuesday, June 23, in the Veterans Auditorium of LDAF, 5825 Florida Boulevard, Baton Rouge, Louisiana.

PUBLIC COMMENTS

Chairman Guillory asked if there was any other business or comments. None replied.

ADJOURNMENT

Chairman Guillory said if there was no other business that he will accept a motion to adjourn.

Motion: Mr. Yerger made a motion to adjourn at 2:23 P.M. The motion was seconded by Mr. Fletcher and passed unanimously.

/s/ George Guillory_____

George Guillory, Chairman